



# Dimensions

MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS

## ARCHITECTURAL DIVISION LETTER

By: Kenneth M. Frashier, AIA, Architectural Division Chair



Things are changing in the Architectural Division. We have a new member that was appointed by Governor Nixon prior to our November meeting. James C. (JC) Rearden, AIA from St. Louis is a welcome addition to our group. He hit the ground running at the meeting, being elected the Audit Chair for the Architect's Continuing Education. JC is filling the position on the Board that was vacated by Randy Miltenberger, AIA, who served more than seven years on the Division. We will miss the

great deal of wisdom and experience that Randy possessed. Randy was a wonderful representative of the architectural profession, and I wish him the very best.

December 31, 2011 is the last date applicants for the Architectural Registration Examination (ARE) may still qualify based upon the combined 12 years of college credits and satisfactory architectural work experience. After that date, only a NAAB accredited architectural degree plus a certified IDP record from NCARB will qualify a new applicant to take the ARE.

When filling out an application for a new Missouri License or to renew an existing architectural license, please pay attention to the section on Record of Charges, Convictions and Fines Imposed that asks if you have had any such offenses. This must be checked "yes" if you have had a DWI conviction. Furthermore, the box must be checked "yes" regardless of whether the conviction was in Missouri or another state. Your license risks disciplinary action for not being truthful in this matter.

It has been brought to the attention of the Board that there is an error in the current rule 20 CSR 2030-2.040 Standard of Care. This is the primary rule that determines incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by Chapter 327 RSMo, the statute that governs the practice of our profession. Previously, the rule referenced Section 106 in the 2006 edition of the International Building Code as the Standard of Care. When the Board considered updating the reference to the 2009 edition of the International Building Code, assurances were obtained from officials of the International Building Code that the numbering of this particular section would not change from the 2006 edition to the 2009 edition, but nevertheless they did change it. The result is that the current rule reference to Section 106 in the 2009 edition of the International Building Code is not correct. Section 107 is the proper reference for the 2009 edition and the Board will seek a correction of the rule in 2011.

The Board relies heavily upon Fire Protection Districts and local building authorities to assist it in protecting the life, health and safety of the people of Missouri by enforcing the legal requirements for all

significant construction to be designed by the proper professional. While the majority of these officials have been tremendous allies in helping us enforce Missouri's laws and regulations in this matter, there are still a surprising number of local officials that either are unaware of Missouri's laws or do not feel they apply to their community. A typical response is that their city or county doesn't have a building code or a building code enforcement official, so construction documents sealed by licensed professionals are not required for permits or construction in their area. They fail to understand that the only exceptions to the requirement for a licensed professional to prepare the construction documents for a building are: (a) a dwelling house; (b) a multiple family dwelling house, flat or apartment containing not more than two families; (c) a commercial or industrial building or structure which provides for the employment, assembly, housing, sleeping or eating of not more than nine persons; (d) any one structure containing less than twenty thousand cubic feet, except as provided in (b) and (c) above, and which is not a part or a portion of a project which contains more than one structure; or (e) a building or structure used exclusively for farm purposes. Furthermore, they are unaware that the law requires any unlicensed person who provides drawings and specifications for an exempt building must indicate on the documents being provided that the person is not a licensed architect. The Board actively pursues complaints made against officials who use their authority to sanction construction that was not designed by licensed professionals and seeks to educate them on Missouri laws in this matter. Should you become aware of any local authorities who allow or permit construction to proceed in their community without the proper design and oversight of the appropriately licensed design professional, please contact the Board.

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**BOARD ADDRESS**

3605 Missouri Boulevard  
Jefferson City, MO 65109  
(573) 751-0047  
(573) 751-8046 Fax  
(800) 735-2966 TTY  
[moapels@pr.mo.gov](mailto:moapels@pr.mo.gov)  
URL: <http://pr.mo.gov/apelsla.asp>



**STATE OF MISSOURI**  
Division of Professional Registration

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Submit articles to APEPLSLA,  
3605 Missouri Boulevard  
Jefferson City, Missouri 65109

# PROFESSIONAL ENGINEERING DIVISION LETTER

By: C. Royce Fugate, PE, Division Chair



In the last issue of Dimensions, Bob Hartnett, Chair of the Landscape Architectural Division, reported on the Strategic Plan adopted by the Board in May. Another committee on consistency of discipline is working to provide a policy that will provide for uniformity and consistency when discipline is necessary. Landscape Architect, Jerany Jackson, is chairing the committee with Kenneth Frashier representing the Architectural Division, Mike Freeman representing the Land Surveying Division, and myself representing the Engineering Division. Attorney Curt Thompson and Executive Director Judy Kempker have provided very useful information for the committee. We have looked at other states and Judy has itemized past records of the Board. Consistency of discipline will hopefully limit legal challenges.

The Engineering Division is looking forward to having a fourth engineering member on the Board authorized by legislation passed in 2010 and signed by Governor Nixon. As required in the statutes, the Missouri Society of Professional Engineers has provided five names to the Governor for his consideration. The total number of members on the Board will now be 15, consisting of a Board Chair, three architects, four engineers, three land surveyors, three landscape architects, and one public member. Besides the fourth engineer, one landscape architect, the chairperson, and public member positions are unfilled at this time. In the absence of a Board Chair, all Board Meetings are called to order by the Board's Executive Director, Judy Kempker. After the meeting is called to order and roll call is taken, the Board then selects a member to conduct the remaining business of the meeting.

The request to add the fourth engineering member was due to the larger number of engineering related complaint cases and applications to be reviewed by the members of the Engineering Division. Out of over 26,000 licensees there are over 16,850 licensed Professional Engineers and approximately 1,500 engineering corporations. The Board also has enrolled over 28,000 Engineer Interns. Needless to say, this results in more workload for the Engineering Division than any of the others. At least two members of the Division must approve every application whether being granted licensure by comity or applying to take an exam to assure compliance with state statutes and Board rules.

In 2009, the Board had 86 complaints pending at the beginning of the year. One hundred thirty-nine new complaints were filed and 129 complaint files were closed. Statistics for 2010 will be similar. Offering of services without a Corporate Certificate of Authority and licensees charged with fraud, incompetency, or negligence generate the most common complaints in all four Divisions.

This past year we had a licensee who submitted his obtaining a patent as satisfying his 30 professional development hours. The Division, after researching and checking with other states, decided to allow 10 PDH credits for a patent. As PDH Chair for most of the time that I have been on the Board, I have seen a very good improvement on submitting required information

## PROFESSIONAL ENGINEERING DIVISION LETTER...CONTINUED...

and documentation. In most instances, the hours are itemized as requested and accompanied by the appropriate documentation. Board Rule 20 CSR 2030-11.015 thoroughly covers PDH requirements for Professional Engineers. It is particularly important to comply with item (c) under (1) Purpose. The Board does not pre-approve engineering PDHs.

If any further information is needed on any items, please feel free to contact the Board office.

## PROFESSIONAL LAND SURVEYING DIVISION LETTER

By: Michael C. Freeman, PLS,  
Division Chair



Last August the members of the Land Surveying Division attended the annual meeting of the National Council of Examiners for Engineering and Surveying (NCEES). This is a national non-profit organization composed of engineering and surveying licensing boards representing all states and U.S. territories. NCEES develops, scores, and administers the examinations used for engineering and surveying licensure throughout the United States. In the deliberations of the Council I noted a common thread throughout the meeting that test applicants need a certain "body of knowledge" in addition to their technical expertise in order to provide the level of services expected from a Professional Engineer or Professional Land Surveyor. This "body of knowledge" concept has been adopted by a number of states resulting in more stringent educational requirements. At the 2010 ACSM-APLS workshops they offered a course titled: "The Surveying Body of Knowledge." I believe this topic

will become part of our educational requirements in the future.

As all of you should know, our Board is responsible for developing and administering the State Specific portion of the licensing examination. Over the past 5 years we have noticed a disturbing decline of test scores on the State Specific test. When looking at the NCEES Fundamentals of Surveying exam administered over the past two years, our 1st time takers equaled or surpassed the national average. On the Principals of Surveying exam, we are seeing the same results. This tells me that our present courses are doing an excellent job preparing our students at the basic technical level. However, on the State Specific exam for 2008 only 23% passed on their first attempt. In 2009 the rate was just 20% for 1st time takers and 36% overall. While our surveyors are ahead of the curve on the NCEES exams, they aren't adequately prepared for our State Specific examination. I believe that there are two major contributing factors to this deficiency. One cause is our minimal educational requirement. Surveying students in our various programs rarely have more than the bare minimum 12 hours in surveying. They are prepared for the technical portion as evidenced by their success on the NCEES exams but not for interpreting the statutes and regulations required of a Professional Land Surveyor. Raising the minimum requirements with more advanced surveying courses will go a long way in solving this deficiency. The second cause is poor "on-the-job" mentorship by the supervising surveyor. The PLS does not spend enough time in the office overseeing research or the methods used to prepare for the survey. Nor does he/she spend the time needed in the field to observe and correct their LSITs. And, back in the office the PLS is often negligent in providing adequate guidance in analyzing and evaluating the evidence recovered.

Proper leadership and mentoring of the LSIT requires the PLS to be more engaged in what his/her survey crews are doing. The mentor needs to be reviewing the work process, not just their work product. We don't need a better button pusher, we need better professionals.

## LANDSCAPE ARCHITECTURAL DIVISION LETTER

By: Robert N. Hartnett, RLA, Division Chair



If you have had your Missouri license for any length of time, you have seen your biennial renewal fee decrease from \$100 to \$60. At the time of this writing, there is an emergency rule and a proposed rule to set the biennial renewal fee at \$35 for the foreseeable future. It may not seem like it, but there is a method to the madness.

Like most of us at home, there is income coming in, expenses going out, and hopefully a little left at the end of the month to put something away in savings. For the Board, the income portion is easy. We have a total of about 26,292 in combined professional licenses between the four professions and including 2,681 corporations. When the biennial renewal takes place this year at the reduced rate, it should generate about \$681,292.50 in revenue for the Board. The Board also receives revenue through its application filing fees as well as from reinstatements, reactivations, and relicensure fees.

The expense side is a little more complicated. Even though the Board has money set aside in

## LANDSCAPE ARCHITECTURAL DIVISION LETTER...CONTINUED...

the checkbook, through the budget process the State Legislature sets the amount we can spend annually in an approved budget appropriation. The appropriation primarily covers the salary, benefits, and overhead office costs of the 10 staff members. Among other major budget items included are costs incurred during disciplinary investigations, legal counsel services, Attorney General litigation expenses, Administrative Hearing Commission expenses, and dues for the national state exam organizations; NCEES, NCARB, and CLARB. Some of the smaller costs incurred in running the Board include covering the cost of quarterly meetings rotating around the state, office supplies, Board Member/Staff travel expenses, Board Member Per Diem, etc. The Board's appropriation for this year is set at approximately \$1.3 million. As a side note, any money collected from civil penalties does not come back to the Board. Those funds are given to the County Treasurer for deposit in the school fund in the county where the offense took place.

On a side note, I am currently serving as the CEU Audit Chair for the LA Division. I am sure that all of you know that we have recently completed the first round of audits on the 2010 renewals. As a reminder, please keep good records of all classes and seminars attended. There is no benefit to claiming the course on the reporting form but not attaching the backup documentation. Also please refresh yourself on CEU requirements on health, safety and welfare (HSW) requirements. The Board has issued a fact sheet and this topic has been covered several times in past Dimensions articles. If it is a professional practice seminar, it almost certainly will not count towards the HSW requirements.

Congratulations go out to our Executive Director Judy Kempker for

reaching her 20 year anniversary of service to our Board and to the four design professions.

As always, feel free to contact me if I can be of any service to you.

## DIMENSIONS IS GOING PAPERLESS



The Board and its staff are constantly looking for ways to operate more efficiently while at the same time keeping cost at a minimum. This has been proven by the last three, consecutive fee reductions you've seen to your biennial renewal fee.

In an effort to enhance electronic communication and reduce postage costs, paper, and labor, the Board requested its Executive Director, Judy Kempker, to research the potential savings that would be generated by switching to the electronic sending of the Board's newsletter to all licensees for whom we have a valid email address.

After doing much research, it was estimated that the Board could save a total of approximately \$25,000 per year if it would switch from printing and mailing a hardcopy of its newsletter to sending an electronic copy to each of its licensees. Therefore, starting in January 2012, Dimensions will only be available electronically. Please be sure to send your email address to the Board office to ensure that you continue to receive a copy of the newsletter. For your convenience, there is an email address change form located on our website at: <http://pr.mo.gov/apelsla-coe2.asp>.

If you don't have an email address, you will be able to access a copy of the newsletter by visiting the Board's website at: <http://pr.mo.gov/apelsla-newsletters.asp>

Please know we realize that not everyone has access to a computer. Therefore, if you are a licensee who falls in this category, please contact the Board office and request a paper copy. We want to make sure Dimensions is accessible to all licensees.

## RENEWAL FEES REDUCED



We are very pleased to announce that the fee for the biennial renewal of your professional license has been reduced from \$60 to \$35. This is the third consecutive reduction in the renewal fee. These fee decreases have been made possible because the Board and its staff have diligently continued their efforts to lessen operating expenses by finding more efficient and cost effective performance procedures while at the same time maintaining the level of service our licensees have been accustomed to.

These ongoing efforts have resulted in a healthy reserve in the Board's fund. With the dire economic difficulties that we are all currently facing, the Board has decided to use its reserve to provide its licensees with some monetary relief. Renewal fees will remain at the reduced rate for the foreseeable future.

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## IMPORTANT INFORMATION REGARDING THE RENEWAL OF YOUR LICENSE

Please be advised that "Renewal Notices" were mailed the first of October to all architects, engineers, land surveyors, landscape architects, architectural corporations, engineering corporations, land surveying corporations and landscape architectural corporations that were originally licensed in an EVEN year. If you were originally licensed in an even year and have not yet received your renewal notice, please call the Board office at (573) 751-0047 as soon as possible.

- Renewal notices are mailed as a courtesy to all licensees.
- The renewal notice is mailed to your address of record on file at the Board office. If you move, it is your responsibility to notify the Board office of your new address promptly so that we can update your record.
- The Board cannot be responsible for misplaced or mishandled mail.
- Failure to receive an application for renewal of a license or certificate of authority does not relieve the licensee or certificate holder from their duty to timely renew, nor does it relieve them from the obligation to pay any additional fee(s) necessitated by any late renewal.

Before you return your renewal notice to the Board office, please check the following:

- Have you enclosed the correct fee?
- Have you completed all sections?
- Have you signed the renewal notice?

Renewal applications are not valid unless signed. Renewal applications that are incomplete or submitted without the correct fee WILL BE RETURNED.

It is the licensee's responsibility to ensure that the renewal form is completed and returned in a timely manner, even if you have delegated it to an office manager or assistant. The renewal period ended on December 31, 2010. A licensee who fails to renew his/her license by the renewal date shall not practice in Missouri. Licensees practicing in Missouri without a renewed license are subject to disciplinary action by the Board.

You also have been given the option of renewing your license online. In fact, the Board strongly encourages its licensees who are up for renewal to utilize the online renewal system. By renewing online, you are provided with immediate confirmation that your license has been renewed. It also allows you to pay your renewal fee with a major credit card. Starting this year, corporations can now renew online as well.

IMPORTANT INFORMATION REGARDING THE RENEWAL OF YOUR LICENSE...CONTINUED...

Please note that online renewals are not available for the following licensees\*:

- Licensees wishing to change their license status from active to inactive.
- Licensees who currently hold an inactive license and wish to return to an active status.
- Licensees who currently hold an inactive license and wish to remain inactive.
- Licensees who will have reached the age of 75 or older.
- Licensees renewing after December 31, 2010.

\*These licensees must complete and return the paper renewal form.

If you are not sure when your license expires, you can either call the Board office, visit the Board's Web site and click on "Licensee Search" or look at the 5 x 7 certificate sent the last time you renewed --- it will display your expiration date.

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## A.R.E.® ROLLING CLOCK

The NCARB A.R.E.® (Architectural Registration Exam) Rolling Clock made its debut on January 1, 2006. This January will mark the fifth year of its existence—and the first time under the policy that division scores for candidates who have not completed the exam within five years will begin to expire.

Under the terms of the Rolling Clock, candidates for the A.R.E.® must pass all required divisions within five years. Divisions passed prior to January 1, 2006 were grand-fathered into the rule. However, all divisions passed prior to January 1, 2006 will no longer be valid if a candidate has not completed the A.R.E.® by July 1, 2014.

### Key Points:

- If a division was passed prior to January 1, 2006, the candidate's five-year period will begin on the date when the first passed division was administered after January 1, 2006.
- A passing grade for any division taken after January 1, 2006 will remain valid for five years beginning on the date the division was taken.
- If a candidate's Rolling Clock end date is reached, only the passing score for the division establishing the Rolling Clock end date will expire.
- Once a candidate's Rolling Clock end date is reached, a new Rolling Clock end date will be established from the date of the next oldest passed division.
- Any division passed prior to January 1, 2006 will no longer be valid if a candidate has not passed all divisions of the A.R.E.® by July 1, 2014.

For the complete policy regarding the A.R.E.® Five-Year Rolling Clock including extension information, please download the latest edition of the Handbook for Interns and Architects at [www.ncarb.org](http://www.ncarb.org)

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## NCARB CHANGES AUTHORIZATION TO TEST FOR A.R.E.®

Effective January 1, 2011, exam candidates must take a division of the A.R.E.® (pass or fail) once every five years to keep their Authorization to Test (ATT) valid. This includes the five-year period prior to January 1, 2011.

Authorization will not become inactive if the applicant tests and fails; it will only become inactive if the applicant does not take at least one division every five years. Any applicant whose authorization is terminated must establish a new eligibility under the current procedures of his/her member board. The applicant must also pay a fee to NCARB to reestablish his/her authorization to test.

Please be advised that the Missouri Board determined that once a candidate establishes eligibility, the candidate will remain eligible to test. No new requirements will have to be met and no new fees will be assessed by the Missouri Board.

More information about the change to testing authorization can be found in the May A.R.E.® E-news.

## FE, FS EXAMS TO BEGIN GRADUAL MOVE TO COMPUTER-BASED FORMAT



**NCEES**

advancing licensure for  
engineers and surveyors

P.O. Box 1686 (280 Seneca Creek Rd.), Clemson, SC 29633 USA T: (864) 654-6824 F: (864) 654-6033 NCEES.ORG

### NEWS RELEASE

August 27, 2010

Contact: Jerry Carter

Executive Director

[jcarter@ncees.org](mailto:jcarter@ncees.org)

### FE, FS exams to begin gradual move to computer-based format

The state licensing boards that compose NCEES, the organization that develops and administers the exams used for engineering and surveying licensure throughout the United States, have voted to begin converting the FE and FS exams to a computer-based format.

The decision was made during last week's NCEES Annual Meeting in Denver. It followed a prolonged study by a special task force convened to consider the issue and share its findings with the organization.

The transition toward computer-based exam delivery will not take place overnight, said NCEES Executive Director Jerry Carter.

"The language approved by the Council includes the phrase 'at the earliest feasible date,' which means that NCEES exam writers and staff will be involved in a process that includes adapting exam item banks, selecting vendors, and communicating with licensing boards and examinees before we can begin offering the exams via computer," said Carter.

"We anticipate it will be at least two years before FE and FS candidates begin taking the exams at computer-testing centers."

Among the reasons given by the NCEES Computer-Based Testing Task Force for its recommendation to convert the exams to a computer-based format include greater scheduling flexibility for candidates, more uniformity in testing conditions, and enhanced security for exam content. The vote to move toward computer-based testing for the FE and FS exams was unanimous.

The FE exam is designed for college engineering seniors who intend to pursue a P.E. license. Nearly 50,000 examinees took the FE exam during the 2009–10 academic year, which included October and April administrations. The FS exam is a similar exam designed for those beginning the process toward professional surveying licensure.

The PE and PS exams, which engineering and surveying candidates are also required to take after completing work experience requirements, will continue to be paper-and-pencil exams for the foreseeable future.

Full details on this vote and other actions taken at the NCEES Annual Meeting will be available in the published minutes, which will be available this fall.

#### ABOUT NCEES

NCEES is a national nonprofit organization composed of engineering and surveying licensing boards representing all U.S. states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. An accredited standards developer with the American National Standards Institute, NCEES develops, scores, and administers the examinations used for engineering and surveying licensure throughout the United States. NCEES also provides services facilitating professional mobility for licensed engineers and surveyors. Its headquarters is located in Clemson, S.C.

## DISCIPLINARY ACTIONS

**DISCLAIMER:** Every effort has been made to ensure that the following enforcement information is correct. However, this information should not be relied upon without verification from the Board office. It should be noted that the names of companies and individuals listed may be similar to the names of the parties who have not had enforcement actions taken against them. Discipline orders are public data and copies may be obtained by contacting the Board office. Pursuant to Chapter 327, RSMo, a licensee is entitled to engage in the practice of architecture, engineering, land surveying or landscape architecture during his/her probationary period providing that the licensee adheres to all of the terms and conditions of the Order. However, a licensee whose license has been suspended, is not entitled to engage in the practice of architecture, engineering, land surveying or landscape architecture during his/her suspension period.

### LICENSES CURRENTLY ON SUSPENSION

**LANGERAK, JON W., E-25134** (St. Louis, Missouri) – Suspension commenced on December 1, 2010 and ends on May 31, 2011. During his period of suspension, Mr. Langerak's probation from his original Order will be stayed. On June 1, 2011, the original period of probation will commence again and will end on May 5, 2014.

**LARSON, KURT E., A-3605** (Ballwin, Missouri) – Suspension commenced on June 9, 2008 and ends upon compliance with Section 324.010, RSMo.

**MISCHE, WILLIAM EDWARD, E-19610** (Grandview, Missouri) – Suspension commenced on June 9, 2008 and ends upon compliance with Section 324.010, RSMo.

**RENNER, JOHN W., LS-2000** (Kansas City, Missouri) – Suspension commenced on June 9, 2008 and ends upon compliance with Section 324.010, RSMo.

**STANLEY, HAROLD RAY, E-19372** (Peculiar, Missouri) – Suspension commenced on June 19, 2010 and ends upon compliance with Section 324.010, RSMo.

### LICENSES CURRENTLY ON PROBATION

**ARNOLD, ROBERT F., LS-2191** (Camdenton, Missouri) – Probation commenced on August 12, 2010 and ends on August 11, 2012.

**BLACK, PAUL D., E-17203** (Nixa, Missouri) – Probation commenced on September 24, 2008 and ends on September 23, 2011.

**CRM ENGINEERING, INC., E-1534** (Fenton, Missouri) – Probation commenced on July 17, 2009 and ends on July 16, 2013.

**CORLE BUILDING SYSTEMS, INC., E-2005000808** (Imler, Pennsylvania) – Probation commenced on February 21, 2009 and ends on February 20, 2011.

**DAVIDSON, PAMELA, A-5012** (Cape Girardeau, Missouri) – Probation commenced on December 3, 2010 and ends on December 2, 2012.

**FENTON, DAVID, PE-19869** (Town and Country, Missouri) – Probation commenced on August 13, 2009 and ends on November 12, 2011.

**GERBER, KATRINA M., E-29242** (Overland Park, Kansas) – Probation commenced on May 22, 2009 and ends on May 21, 2011.

**GOMEZ, PHILIP A., A-6390** (St. Louis, Missouri) – Probation commenced on February 17, 2009 and ends on February 16, 2012.

**DISCIPLINARY ACTIONS...CONTINUED...**

**HAMPTON, TOMMY R., E-10846** (Lee's Summit, Missouri) – Probation commenced on July 5, 2008 and ends on July 4, 2011.

**HARDY, RICHARD E., A-2864** (Springfield, Missouri) – Probation commenced on August 26, 2010 and ends on August 25, 2013.

**HERMANS, ALBERT P., E-23306** (Independence, Missouri) – Probation commenced on November 9, 2008 and ends on November 8, 2011.

**HUNTER, ELLIOTT DAVID, A-4617** (Joplin, Missouri) – Probation commenced on February 5, 2008 and ends on February 4, 2011.

**KLITZING WELSCH ASSOCIATES, INC., A-2009024038** (St. Louis, Missouri) – Probation commenced on August 10, 2009 and ends on February 3, 2011.

**KUDER, SAM L., LS-1714** (Kingman, Arizona) – Probation commenced on May 12, 2009 and ends on May 11, 2012.

**MASLAN, STEPHEN PHILLIP, E-20397** (Kansas City, Missouri) – Probation commenced on November 6, 2009 and ends on November 5, 2014.

**MITCHELL, DENNIS TROY, A-6211** (Arlington, Texas) – Probation commenced on December 18, 2010 and ends on December 17, 2013.

**THE NATIONAL ARCHITECT CORP., A-2008013313** (Kansas City, Missouri) – Probation commenced on May 19, 2008 and ends on May 18, 2011. On June 11, 2008, The National Architect Corporation filed an appeal with the Administrative Hearing Commission.

**NELSON, DENNIS STANLEY, E-22489** (Eau Claire, Wisconsin) – Suspension commenced on May 25, 2010 and ended on August 22, 2010 followed by probation which commenced on August 23, 2010 and ends on January 29, 2013.

**RALSTON, WILLIAM A., LS-1144** (Grain Valley, Missouri) – Suspension commenced on August 19, 2009 and ended on August 18, 2010 followed by 3 years probation which commenced on August 19, 2010 and ends on August 18, 2013.

**ROGERS, GREGORY CORNWELL, PE-2007034900** (Gastonia, North Carolina) – Probation commenced on June 9, 2010 and ends on June 8, 2011.

**SUNSET DESIGN SERVICE, INC., A-2008003962** (Des Peres, Missouri) – Probation commenced on November 18, 2009 and ends on October 4, 2011.

**VASQUEZ, JAIRZINHO, PE-2003012574** (Houston, Texas) – Probation commenced on August 27, 2009 and ends on August 26, 2011.

**WELYTOK, MARK E., A-6894** (Branson, Missouri) – Probation commenced on March 29, 2007 and ends on March 28, 2012.

## **REVOCATIONS**

**SCHIFF, MARC E., A-7694**  
Albuquerque, New Mexico

**Summary:** The Board received information that on or around February 16, 2007, Mr. Schiff pled guilty in the case of United States of America versus Marc Schiff to two (2) felony counts of conspiracy and fraud and swindles (mail fraud). On or about August 2009, Mr. Schiff was sentenced to one (1) year in federal prison.

**DISCIPLINARY ACTIONS...CONTINUED...**

**Cause for Discipline:** Cause exists to discipline Mr. Schiff's architectural license pursuant to Section 327.441.2(2), RSMo, which states, "The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed."

**Board Action:** The Board authorized the Attorney General's Office to proceed with settlement. Thereafter, on November 10, 2010, Mr. Schiff signed a Settlement Agreement whereby agreeing that his architectural license is revoked. The revocation was effective on November 25, 2010.

**UNIFIED DESIGN SERVICES, LLC, E-2007006938**

Belle, Missouri

**Summary:** The Board received information that in November 2006, Unified Design Services prepared plans prior to obtaining an architectural or engineering corporate certificate of authority from the Board. On February 22, 2007, the Board received an application for an engineering corporate certificate of authority from Unified Design Services, LLC. The engineering corporate certificate of authority was issued on March 12, 2007 and expired on December 31, 2009. When Unified Design Services, LLC submitted its application to the Board, they identified John R. Bryan as the managing agent responsible for Unified Design Services, LLC's engineering services. The application falsely identified Mr. Bryan as a full-time employee of Unified Design Services, LLC. On four separate projects, Unified Design Services, LLC performed engineering and architectural services. The plans were sealed as engineering documents. This would have been acceptable if the architectural work contained within the documents were merely incidental to the engineering work. However, the plans required architectural work which amounted to architectural work beyond incidental.

**Cause for Discipline:** Cause exists to discipline the engineering corporate certificate of authority of Unified Design Services, LLC pursuant to Section 327.441.2(3), RSMo by use of fraud, deception, misrepresentation or bribery in securing any license or corporate certificate of authority issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter; Section 327.441.2(5), RSMo by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; Section 327.441.2(6), RSMo by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter; and, Section 327.441.2(11), RSMo by issuance of a professional license or a corporate certificate of authority based upon a material mistake of fact.

**Board Action:** The Administrative Hearing Commission issued a Decision on June 30, 2010, concluding that Unified Design Services, LLC is subject to discipline. Thereafter, on November 9, 2010, the Board held a disciplinary hearing and voted to revoke Unified Design Services, LLC's engineering corporate certificate of authority. The Order was effective November 30, 2010.

**SUSPENSION FOLLOWED BY PROBATION****BRYAN, JOHN R., E-14527 (Inactive)**

Jefferson City, Missouri

**Summary:** The Board received a complaint alleging that Mr. Bryan signed and sealed plans on four different projects as engineering documents. These plans contained both architectural and engineering work. The Administrative Hearing Commission found that this would have been acceptable if the architectural work contained within the documents was merely incidental to the engineering work. However, the plans required architectural work which was beyond incidental. Additionally, Mr. Bryan signed and sealed plans for a retail commercial construction project. Mr. Bryan made several calculations regarding the footings for the project such as lateral resistance and download, which were incorrect. Mr. Bryan also failed to check the uplift for the project. Mr. Bryan listed himself as "lead design professional" for this project. However, since Mr. Bryan is a structural engineer, he should not be the lead design professional for a retail commercial construction project.

**DISCIPLINARY ACTIONS...CONTINUED...**

**Cause for Discipline:** Cause exists to discipline Mr. Bryan's professional engineering license pursuant to Section 327.441.2(6) by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(13) by violation of any professional trust or confidence.

**Board Action:** The Administrative Hearing Commission issued a Decision on August 20, 2010, concluding that Mr. Bryan is subject to discipline. Thereafter, on November 9, 2010, the Board held a disciplinary hearing. An Order was issued by the Board on November 30, 2010, revoking Mr. Bryan's professional engineering license. The revocation of Mr. Bryan's professional engineering license is stayed pending compliance by Mr. Bryan of the remaining terms of the Order. To prevent revocation of Mr. Bryan's professional engineering license, he must comply with each term of discipline. Mr. Bryan shall immediately return his professional engineering license, wall-hanging certificate, and embossing seal and/or professional engineer stamp to the Board. Mr. Bryan shall also reinstate his license and pay all required fees by no later than December 31, 2010. If Mr. Bryan fails to return his licensure indicia and to reinstate his professional engineering license by December 31, 2010, the Order for revocation will become effective January 1, 2011. Providing Mr. Bryan does comply with the terms, it is the Board's Order that Mr. Bryan's professional engineering license be suspended for a period of one year followed by one (1) year probation. On December 30, 2010, Mr. Bryan reinstated his Professional Engineer's license number E-14527 to inactive status. Mr. Bryan has now complied with the remaining terms of the Order. Therefore, Mr. Bryan's suspension commenced on January 1, 2011 and ends on December 31, 2011 followed by one (1) year probation to commence on January 1, 2012 and ending on December 31, 2012.

## **PROBATION**

**HARDY, RICHARD E., A-2864**

Springfield, Missouri

**Summary:** The Board received a complaint alleging that on or about December 4, 2007, Mr. Hardy signed and sealed plans for a new banking facility. The plans consisted of various drawings, including architectural drawings, structural drawings, and mechanical, electrical, and plumbing drawings. Mr. Hardy signed and sealed all of the structural and architectural drawings on the bank plans, but no other signature or seal was listed on the engineering drawing for the bank plans. As part of the bank plans, Mr. Hardy calculated incorrect seismic design loads and did not follow-through and design the structure for the calculated loads. The Board also received information that on December 1, 2006, Mr. Hardy signed and sealed plans for a new banking facility which consisted of various drawings, including architectural drawings, structural drawings, and mechanical, electrical and plumbing drawings. Mr. Hardy signed and sealed all of the structural and architectural drawings but no other signature or seal was listed on the engineering plans for the bank. As part of the bank plans, Mr. Hardy failed to design the bank for lateral loads due to seismic. The engineering work on both bank plans was not incidental and necessary to the completion of the architectural work lawfully performed by Mr. Hardy.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Hardy's architectural license pursuant to Section 327.441.2(5), RSMo by misconduct in the performance of the functions or duties of any profession licensed or regulated by this chapter; Section 327.441.2(6), RSMo by violation of, or assisting or enabling any person to violate, any provision of this chapter, or any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(13), RSMo by violation of any professional trust or confidence.

**Board Action:** The Board authorized the Attorney General's Office to proceed with settlement. Thereafter, Mr. Hardy signed a Settlement Agreement with the Board placing his architectural license on probation for a period of three (3) years commencing on August 26, 2010 and ending on August 25, 2013.

**ARNOLD, ROBERT F., LS-2191**

Camdenton, Missouri

**Summary:** The Board received information alleging that Mr. Arnold conducted land surveys that failed to meet Missouri

**DISCIPLINARY ACTIONS...CONTINUED...**

Minimum Standards for Property Boundary Surveys by failing to file corner documents within 90 days with the Department of Natural Resources. Also, it was discovered by the Board, that between 2006 and 2009, Mr. Arnold performed numerous surveys under the title block of Arnold Surveying, LLC without first having obtained from the Board a land surveying corporate certificate of authority.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Arnold's land surveying license pursuant to Section 327.441.2(5), RSMo by misconduct in the performance of the functions or duties of any profession licensed or regulated by this chapter; Section 327.441.2(6), RSMo by violation of, or assisting or enabling any person to violate, any provision of this chapter, or any lawful rule or regulation adopted pursuant to this chapter; Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter; and, Section 327.441.2(13), RSMo by violation of any professional trust or confidence.

**Board Action:** The Board authorized the Attorney General's Office to proceed with settlement. Thereafter, Mr. Arnold signed a Settlement Agreement with the Board placing his professional land surveying license on probation for a period of two (2) years commencing on August 12, 2010 and ending on August 11, 2012.

**DAVIDSON, PAMELA, A-5012**

Cape Girardeau, Missouri

**Summary:** The Board received information that on August 8, 2008, Ms. Davidson submitted a commercial permit application for an interior remodeling project which was not signed, sealed, and dated; failed over a period of nearly five (5) months to submit follow-up plans reflecting revisions; and, submitted documents of an engineering nature which were in a technical area in which she was not qualified by education, training, and experience. On January 13, 2009, Ms. Davidson submitted a kitchen plan for a commercial renovation that was inadequate as a blueprint for construction. On January 15, 2009, Ms. Davidson submitted a commercial permit application accompanied by a drawing of a floor plan for the renovation of an office building which was determined to be incomplete and inadequate to allow review or for purposes of building.

**Cause for Discipline:** Cause exists for the Board to discipline Ms. Davidson's architectural license pursuant to Section 327.441.2(5), RSMo by misconduct in the performance of the functions or duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(6), RSMo by violation of, or assisting or enabling any person to violate, any provision of this chapter, or any lawful rule or regulation adopted pursuant to this chapter.

**Board Action:** The Board authorized the Attorney General's Office to proceed with settlement. Thereafter, Ms. Davidson signed an agreement with the Board placing her architectural license on probation for a period of two (2) years commencing on December 3, 2010 and ending on December 2, 2012.

**MITCHELL, DENNIS TROY, A-6211**

Arlington, Texas

**Summary:** The Board received information that Mr. Mitchell's architectural license had been subject to disciplinary action in the state of Nevada. The Nevada Board disciplined Mr. Mitchell's license based upon a finding that Mr. Mitchell was not in responsible control of drawings to which he affixed his signature and seal; that he aided and abetted the unlicensed practice of architecture; and, that he made misleading and/or false statements.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Mitchell's architectural license pursuant to Section 327.441.2(8), RSMo by disciplinary action against the holder of a license or a corporate certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state.

**Board Action:** The Board authorized the Attorney General's Office to proceed with settlement. Thereafter, Mr. Mitchell signed an agreement with the Board placing his architectural license on probation for a period of three (3) years commencing on December 18, 2010 and ending on December 17, 2013.

DISCIPLINARY ACTIONS...CONTINUED...

## **HOUSE BILL 600 SUSPENSIONS**

### **STANLEY, HAROLD RAY, E-19372**

Peculiar, Missouri

**Summary and Action:** Mr. Stanley's professional engineering license was suspended pursuant to Section 324.010, RSMo on June 19, 2010.

### **CYR, MARY T., A-8219**

Kansas City, Missouri

**Summary and Action:** Ms. Cyr's architectural license was suspended pursuant to Section 324.010, RSMo on June 19, 2010. Ms. Cyr came into compliance on July 13, 2010 and is now current and active.

### **CORN, MICHAEL LEWIS, A-3427**

St. Louis, Missouri

**Summary and Action:** Mr. Lewis' architectural license was suspended pursuant to Section 324.010, RSMo on June 19, 2010. Mr. Corn came into compliance on July 7, 2010 and is now current and active.

### **CARTER, DENNIS N., LA-29**

Overland Park, Kansas

**Summary and Action:** Mr. Carter's landscape architectural license was suspended pursuant to Section 324.010, RSMo on June 19, 2010. The Board received word that Mr. Carter passed away on July 23, 2010.

## **PUBLIC CENSURE**

### **HOWARD, CHARLES R., PE-2006033970**

Cary, North Carolina

**Summary:** The Board received information that on or around July 1, 2009, the South Carolina Department of Labor, Licensing & Regulation, State Board of Registration for Professional Engineers and Surveyors issued a stipulation and order requiring Mr. Howard to pay a civil penalty in the amount of \$2,000 for practicing engineering and/or holding himself out as a professional prior to receiving a temporary permit.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Howard's professional engineering license pursuant to Section 327.441.2(8), RSMo which states: disciplinary action against the holder of a license or a corporate certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state.

**Board Action:** The Board authorized the Attorney General's Office to proceed with settlement. Thereafter on July 15, 2010, Mr. Howard entered into an agreement with the Board, agreeing to his professional engineering license being censured.

DISCIPLINARY ACTIONS...CONTINUED...

## **CIVIL PENALTIES**

### **GANIME, JEFF (NOT LICENSED)**

Greenville, Missouri

**Summary:** The Board received information that Mr. Ganime was practicing land surveying without a license when he had never been licensed by the Board as a professional land surveyor. Thereafter, the Board filed a complaint with the Administrative Hearing Commission. On April 26, 2010, the Administrative Hearing Commission issued its Decision finding that Mr. Ganime had violated Section 327.076.2(1), (2), and (9), RSMo by offering and providing professional land surveying services without being licensed to do so.

**Cause for Discipline:** Cause exists for the Board to impose a civil penalty upon Mr. Ganime under Section 327.076.2(1), RSMo by holding himself out as a land surveyor and by preparing a land survey; Section 327.076.2(2), RSMo by holding himself and his company out as capable of performing land surveying services; and, Section 327.076.2(9), RSMo by being engaged in the practice of land surveying by holding himself out as a land surveyor and by preparing a land survey when he was not licensed.

**Board Action:** On August 10, 2010, the Board held a hearing on the matter. Thereafter on August 24, 2010, having carefully and fully considered all the evidence presented at the hearing before the Board, it was the decision of the Board that Mr. Ganime shall pay \$2,500 in civil penalties, which shall be handled in accordance with the provisions of section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Mr. Ganime, it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violation and risk to the public, the economic benefits gained by Mr. Ganime, and the interests to the public. Within 60 days of the date of the Order, Mr. Ganime shall issue a cashier's check or money order in the amount of \$2,500 made payable to Carol Hale, Wayne County Treasurer, Greenville, Missouri for payment to the county school fund for Wayne County.

### **LAND SURVEYING BOUNDARY LINES IN ST. LOUIS, LLC. (NOT LICENSED)**

St. Louis, Missouri

**Summary:** On September 5, 2008, Land Surveying Boundary Lines in St. Louis filed with the Missouri Secretary of State its Articles of Organization in which it stated as the specific purpose of its business in Missouri, "to practice professional land surveying in the State of Missouri." Land Surveying Boundary Lines in St. Louis does not hold, has never held, and has never applied to the Missouri Board for a corporate certificate of authority to practice professional land surveying in Missouri. Land Surveying Boundary Lines in St. Louis performed the following land surveys in Missouri: 1) a boundary adjustment plat which was sealed by David J. Morton, LS-2276, and recorded on September 10, 2008; 2) a boundary adjustment plat which was sealed by David J. Morton, LS-2276, and recorded on September 10, 2008; and, 3) a boundary adjustment plat which was sealed by David J. Morton, LS-2276, on December 31, 2008.

**Cause for Discipline:** For each and every land survey prepared by or under the name of Land Surveying Boundary Lines in St. Louis constituted a separate act of the performance of professional land surveying without a license or corporate certificate of authority by Land Surveying Boundary Lines in St. Louis in violation of Section 327.281, RSMo. Also, for each instance of unauthorized performance of professional land surveying, there is cause for discipline in the form of imposition of a civil monetary penalty as authorized in Section 327, 077, RSMo.

**Board Action:** The Board authorized the Attorney General's Office to proceed with settlement. Thereafter, Land Surveying Boundary Lines in St. Louis signed a Settlement Agreement with the Board agreeing to cease and desist all professional land surveying activity and advertisement until such time as Land Surveying Boundary Lines in St. Louis obtains a land surveying corporate certificate of authority from the Board. In addition, Land Surveying Boundary Lines in St. Louis agreed to pay a \$1,000 civil penalty assessed by the Board. The civil penalty shall be handled in accordance

**DISCIPLINARY ACTIONS...CONTINUED...**

with the provisions of section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Land Surveying Boundary Lines in St. Louis, it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violation and risk to the public, the economic benefits gained by Land Surveying Boundary Lines in St. Louis, and the interests to the public. Within 60 days of the date of the Order, Land Surveying Boundary Lines in St. Louis shall issue a cashier's check or money order in the amount of \$1,000 made payable to Pamela Reitz, St. Louis County Treasurer, St. Louis County, Missouri, for payment to the county school fund.

**PROBATED LICENSES/CIVIL PENALTIES****TFS AND ASSOCIATES, LLC, LS-2010031812**

Lamar, Missouri

**Summary:** On or after May 29, 2009, TFS and Associates, LLC offered and provided professional land surveying services without having obtained a corporate certificate of authority from the Board to offer or provide such services by executing a plat of survey for an individual that represents a property boundary survey of a parcel; by advertising land surveying services in the yellow pages and on online sites; and, by operating under a fictitious name registration with the Missouri Secretary of State, all without having a corporate certificate of authority from the Board to advertise or provide professional land surveying services. On August 26, 2010, TFS and Associates, LLC filed an application with the Board for a corporate certificate of authority to provide professional land surveying services in the state of Missouri.

**Cause for Discipline:** Cause exists for the Board to deny TFS and Associates, LLC's application for a professional land surveying corporate certificate of authority pursuant to Section 327.441.2(5), RSMo by misconduct in the performance of the functions or duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** In lieu of denial of TFS and Associates, LLC's application for a land surveying corporate certificate of authority, the Board authorized a probated license to be issued to TFS and Associates, LLC. Thereafter on September 7, 2010, the Board issued an Order to TFS and Associates, LLC to pay \$1,000 in civil penalties which shall be handled in accordance with the provisions of section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on TFS and Associates, LLC, it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violation and risk to the public, the economic benefits gained by TFS and Associates, LLC, and the interests to the public. Within 60 days of the date of the Order, TFS and Associates, LLC shall issue a cashier's check or money order in the amount of \$1,000 made payable to the Vernon County Collector/Treasurer, Nevada, Vernon County, Missouri, for payment to the county school fund. Upon payment of the civil penalties, the corporate certificate of authority shall be considered in good standing. On or about November 2, 2010, the Board received a cashier's check in the amount of \$1,000 for the civil penalties from TFS and Associates, LLC. On November 2, 2010, the Board mailed the \$1,000 cashier's check to Mr. Phil Couch, the Vernon County Treasurer/Collector, Nevada, Missouri. TFS and Associates, LLC's land surveying corporate certificate of authority is now considered in good standing.

**CORE ARCHITECTS, INC., A-2010026862**

Rogers, Arkansas

**Summary:** On and after April 10, 2010, Core Architects, Inc. offered and provided architectural services without having obtained a corporate certificate of authority from the Board to offer or provide such services by having designed two county 911 facilities. On June 2, 2010, Core Architects, Inc. filed an application with the Board for a corporate certificate of authority to provide architectural services in the state of Missouri. However, Core Architects, Inc. did not provide complete documentation to support the application until July 29, 2010.

**Cause for Discipline:** Cause exists for the Board to deny Core Architects, Inc.'s application for an architectural corporate certificate of authority pursuant to Section 327.441.2(5), RSMo by misconduct in the performance of the functions or

**DISCIPLINARY ACTIONS...CONTINUED...**

duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(10), RSMo by assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter.

**Board Action:** In lieu of denial of Core Architects, Inc.'s application for an architectural corporate certificate of authority, the Board authorized a probated license to be issued to Core Architects, Inc. Thereafter on August 2, 2010, the Board issued an Order to Core Architects, Inc. to pay \$1,000 in civil penalties, which shall be handled in accordance with the provisions of section 7 of article IX of the Missouri Constitution. In determining the amount the Board decided to impose on Core Architects, Inc., it considered the deterrent affect the penalty would have, the circumstances that led to the violations, the severity of the violation and risk to the public, the economic benefits gained by Core Architects, Inc., and the interests to the public. Within 60 days of the date of the Order, Core Architects, Inc. shall issue a cashier's check or money order in the amount of \$1,000 made payable to the Newton County Treasurer, Neosho, Newton County, Missouri, for payment to the county school fund. Upon payment of the civil penalties, the corporate certificate of authority shall be considered in good standing. On or about September 7, 2010, the Board received a cashier's check in the amount of \$1,000 for the civil penalties from Core Architects, Inc. On September 7, 2010, the Board mailed the \$1,000 cashier's check to the Newton County Treasurer, Neosho, Newton County, Missouri. Core Architects, Inc.'s architectural corporate certificate of authority is now considered in good standing.

## **VOLUNTARY SURRENDER OF LICENSE**

**FISCHER, LAWRENCE, E-27102**

Orlando, Florida

**Summary:** On February 11, 2010, the Arkansas Board filed a complaint against Mr. Fischer alleging that he had violated Arkansas Code which relates to the fixing of a signed and dated seal on engineering drawings. On March 8, 2010, the Arkansas Board conducted a hearing and found that Mr. Fischer was liable for the charges complained of and accepted the voluntary surrender of Mr. Fischer's license and imposed a civil penalty of \$100. By having his professional engineering license disciplined in the state of Arkansas, cause exists to discipline Mr. Fisher's Missouri professional engineering license.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Fischer's professional engineering license pursuant to Section 327.441.2(8), RSMo which states: disciplinary action against the holder of a license or a corporate certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state.

**Board Action:** The Board authorized the Attorney General's Office to proceed with settlement. Thereafter, on November 26, 2010, Lawrence Fischer entered into an agreement with the Board wherein Mr. Fischer voluntarily surrendered his professional engineering license.

## **VIOLATION OF DISCIPLINE**

**LANGERAK, JON W., E-25134**

St. Louis, Missouri

**Summary:** As previously reported, on May 13, 2008, the Board issued an order that Mr. Langerak's professional engineering license be suspended for one (1) year followed by three (3) years probation. On May 16, 2008, the Circuit Court of Cole County, Missouri issued a Stay Order on Mr. Langerak's Suspension. Thereafter, on November 7, 2009, the Stay Order was lifted and Mr. Langerak's professional engineering license was suspended for one (1) year commencing on November 7, 2009 and ending on November 6, 2010 followed by three (3) years probation commencing on November 7, 2010 and ending on November 6, 2013. However, Mr. Langerak failed to surrender to the Board his

**DISCIPLINARY ACTIONS...CONTINUED...**

professional engineering licensure indicia during his suspension period. The Order called for Mr. Langerak to surrender his professional engineering licensure indicia including his professional engineering license (#E-25134), wall-hanging certificate, personal professional engineering embossing seal and personal professional engineering stamp to the Board for the period of his suspension. Mr. Langerak did not surrender his licensing indicia.

**Cause for Discipline:** Mr. Langerak failed to return his professional engineering license (#E-25134), wall-hanging certificate, personal professional engineering embossing seal and personal professional engineering stamp to the Board as required by the Disciplinary Order. Failure to comply with the terms and conditions of the Disciplinary Order entitles the Board to impose such additional or other discipline it deems appropriate.

**Board Action:** The Board held a hearing on this matter on November 9, 2010. After having carefully and fully considered all the evidence presented at the hearing before the Board and giving full weight to the Findings of Fact and Conclusions of Law, it was the Decision of the Board that Mr. Langerak's professional engineering license be suspended for six (6) months effective December 1, 2010 through May 31, 2011. During this period of suspension, Mr. Langerak's probation from his original Order will be stayed. On June 1, 2011, the original period of probation will begin again running from that date through May 5, 2014. If Mr. Langerak successfully completes the terms of his discipline in this Order, as well as the remaining terms of discipline in the original Order, his discipline will end on May 5, 2014.

**FENTON, DAVID L., E-19869**

Town and Country, Missouri

**Summary:** It was previously reported that the Board received information indicating Mr. Fenton had been subject to a disciplinary action in the state of Oklahoma for practicing engineering without a license. When Mr. Fenton renewed his Missouri professional engineering license he did not admit on his Missouri renewal application that he had been disciplined in the state of Oklahoma. Thereafter, the Board voted to place Mr. Fenton's professional engineering license on probation for a period of two years commencing on August 13, 2009 and ending on August 12, 2011. In addition, Mr. Fenton was to pay \$500 in civil penalties, which was handled in accordance with the provisions of section 7 of article IX of the Missouri Constitution. On January 9, 2010, the Board received a cashier's check in the amount of \$500 for the civil penalties from Mr. Fenton. On January 8, 2010, the Board mailed the \$500 cashier's check to Cynthia Williams, St. Louis County Treasurer, St. Louis County, Missouri, for payment to the county school fund. On October 13, 2010, a complaint was filed with the Board alleging that Mr. Fenton failed to file his written report or list of engineering projects which was due by July 1, 2010 with the Board certifying his compliance with the Board's Order. Mr. Fenton's failure to comply with the requirements of the Board's Order constitutes a violation of the terms of his probation, providing cause for the Board to hold a hearing to determine whether disciplinary action should be taken against Mr. Fenton's professional engineering license.

**Cause for Discipline:** Failing to comply with the requirements of the Board's Order, Mr. Fenton violated the terms of his probation by failing to file his written report or list of engineering projects which was due to the Board by July 1, 2010, certifying his compliance with the Board's Order.

**Board Action:** The Board held a hearing on this matter on November 9, 2010. After having carefully and fully considered all the evidence presented at the hearing before the Board, including Mr. Fenton's explanation why he failed to comply with the reporting requirements and Mr. Fenton's promise to comply with future reporting requirements, it was the decision of the Board that Mr. Fenton's professional engineering license be placed on additional six (6) months probation, but said additional probation be stayed. Should Mr. Fenton fail to comply with the terms of his discipline stated in the Order dated August 13, 2009, the additional period of probation will be imposed.

## OUTGOING BOARD MEMBER



**Randall B. (Randy) Miltenberger**

On behalf of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, we would like to sincerely thank **Mr. Randall B. (Randy) Miltenberger** for his dedication to the Board and exemplary services rendered to the people of the state of Missouri while serving on the Board. Randy served as a member of the Architectural Division from April 17, 2003 to October 18, 2010. From January 29, 2006 to October 18, 2010, he also served as Chair of the Architectural Division.

The work ethics and commitment on the part of Randy will certainly be missed. He was a wonderful asset to the Board. We would like to take this opportunity to wish him the very best with his future endeavors.

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## NEW ARCHITECTURAL MEMBER OF THE BOARD



**James C. "JC" Rearden**

**James C. "JC" Rearden**, AIA, CSI, of Barnhart, Missouri, has been appointed by Governor Jay Nixon to serve as a member of the Architectural Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. Mr. Rearden's appointment went into effect on October 19, 2010.

JC is Vice President of Operations for Wm. B. Ittner, Inc., a 110-year old architectural firm in St. Louis that specializes in the design of educational facilities. A graduate of the University of Kansas with a Bachelor of Science in Architecture and a Bachelor of Science in Architectural Engineering, JC has 34 years of experience in the practice of architecture. He is

**NEW MEMBERS OF ARCHITECTURAL DIVISION OF THE BOARD...CONTINUED...**

NCARB certified and licensed to practice architecture in three other states. JC is a past President of AIA Missouri, AIA St. Louis and the St. Louis Chapter of CSI, and is a charter member and past Vice President of the St. Louis Chapter of BOCA.

He has also served as a former member of the St. Louis Metropolitan Code Committee; Building Seismic Safety Council TS-8 Committee; CSI's Uniform Drawing Standards Committee (as a Corresponding Member); the Board of Directors for Jefferson County's Economic Development Corporation; and the American Arbitration Association (as a Commercial Arbitrator).

Missouri statute provides that Board Members shall serve a term of four years or until his/her successor is appointed by the Governor. JC replaces Randall B. (Randy) Miltenberger, St. Louis, Missouri whose term expired.

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## **A MESSAGE FROM THE MISSOURI ATTORNEY GENERAL'S OFFICE**

**By: Sara Dick, Assistant Attorney General  
Civil, Disability & Worker's Rights Division**

First passed in 1990, the Americans with Disabilities Act ("ADA") dictates, among other things, that new construction meet certain accessibility requirements for government offices and places of public accommodation. Architects are legally required to comply with accessibility and other requirements as detailed in the ADA Accessibility Guidelines for Buildings and Facilities ("ADAAG"), the building specifications associated with the ADA. Failure to comply with the ADA or the ADAAG requirements can result in federal civil liability and penalties for the architect of record. Additionally, studies have shown that the disabled community has billions of dollars in spending power; thus, creating accessible designs benefits not only the community but also the business client.

Recently, changes were made to regulations for Title II and Title III of the ADA which resulted in the 2010 Standards for Accessible Design that will go into effect on March 15, 2011. Compliance with the 2010 Standards for Accessible Design is currently permitted and will become mandatory on March 15, 2012. The Attorney General's Office recommends that Missouri architects begin utilizing the 2010 Standards now such that construction will occur in accordance with the 2010 Standards. Free technical assistance, training, and educational materials regarding the 2010 Standards for Accessible Design requirements and information about the ADA and ADAAG is available from the DBTAC-Great Plains ADA Center in Columbia, Missouri. The Center's toll-free telephone number is (800) 949-4232 and the Center's website is <http://www.adaproject.org>. An online version of the 2010 Standards is available at: [http://www.ada.gov/2010ADASTandards\\_index.htm](http://www.ada.gov/2010ADASTandards_index.htm).

The Attorney General's Office is committed to improving accessibility in the State of Missouri and the lives of all Missouri citizens. Architects licensed in Missouri have an important and necessary role in the betterment of Missouri. The Attorney General's Office invites you to contact Sara Dick, an Assistant Attorney General with the Civil, Disability & Worker's Rights Division of the Missouri Attorney General's Office, at (573) 751-9167 or PO Box 899, Jefferson City, MO 65102, should you have any questions or concerns.

(12/15/2010)

# 2010 YEAR END REPORT

## NUMBER OF EXAMINATIONS ADMINISTERED:

A.R.E. - Version 4.0 - January 1, 2010 – December 31, 2010

• Building Design & Construction System	- 15 Candidates
	- 11 Passed
	- 4 Failed
• Building Systems	- 23 Candidates
	- 15 Passed
	- 8 Failed
• Construction Documents & Services	- 17 Candidates
	- 12 Passed
	- 5 Failed
• Programming, Planning & Practice	- 32 Candidates
	- 23 Passed
	- 9 Failed
• Schematic Design	- 25 Candidates
	- 16 Passed
	- 9 Failed
• Site Planning & Design	- 22 Candidates
	- 21 Passed
	- 1 Failed
• Structural Systems	- 27 Candidates
	- 14 Passed
	- 13 Failed
Professional Engineering Examinations (April, 2010 and October, 2010)	- 421 Candidates
	- 252 Passed
	- 169 Failed
Engineering Intern Examinations (April, 2010 and October, 2010)	- 1,126 Candidates
	- 736 Passed
	- 390 Failed
Principles and Practice of Land Surveying Examinations (April, 2010 and October, 2010)	- 13 Candidates
	- 6 Passed
	- 7 Failed
Missouri Specific of Land Surveying (April, 2010 and October, 2010)	- 46 Candidates
	- 14 Passed
	- 32 Failed
Fundamentals of Land Surveying Examinations (April, 2010 and October, 2010)	- 39 Candidates
	- 20 Passed
	- 19 Failed

## NUMBER OF REGISTRATIONS GRANTED BY COMITY:

Architectural	131
Engineering	479
Land Surveying	11
Landscape Architects	18

## NUMBER OF CORPORATE CERTIFICATES OF AUTHORITY ISSUED:

Architectural	92
Engineering	181
Land Surveying	24
Landscape Architectural	12

## TOTAL NUMBER OF LICENSEES: 24,801\*

Architects	4,249
Professional Engineers	14,063
Land Surveyors	877
Landscape Architects	313
Total Individual Licensees with Active Status	19,502*

Architects with Inactive Status	413
Professional Engineers with Inactive Status	2,250
Land Surveyors with Inactive Status	126
Landscape Architects with Inactive Status	68
Total Individual Licensees with Inactive Status	2,857*

Architectural Corporations	689
Engineering Corporations	1,414
Land Surveying Corporations	271
Landscape Architectural Corporations	68
Total Corporate Licenses	2,442*

## TOTAL NUMBER OF INTERNS/LSITS: 28,464

Engineer Interns Enrolled	28,025
Land Surveyors-in-Training Enrolled	439
Total Enrollment of Engineer Interns/LSITs	28,464

## STATISTICS FOR 2010

**COMPLAINTS:** There were 98 complaints pending at the beginning of 2010

## Breakdown of NEW Complaints Filed in 2010

Unlicensed persons practicing architecture	5
Unlicensed persons practicing architecture and engineering	6
Unlicensed persons practicing engineering	6
Unlicensed persons practicing land surveying	2
Unlicensed persons practicing landscape architecture	2
Architects practicing engineering	0
Engineers practicing architecture	0
Engineers practicing land surveying	0
Land Surveyors practicing engineering	0
Landscape Architects practicing architecture	0
Landscape Architects practicing engineering	0
Architects charged with unprofessional conduct	0
Engineers charged with unprofessional conduct	5
Land Surveyors charge with unprofessional conduct	6

Landscape Architects charged with unprofessional conduct	0
Architects disciplined in another state	1
Engineers disciplined in another state	5
Land Surveyors disciplined in another state	0
Landscape Architects disciplined in another state	0
Federal Exemption Clause	0
Offering architectural services without a Corporate Certificate of Authority	3
Offering engineering services without a Corporate Certificate of Authority	6
Offering land surveying services without a Corporate Certificate of Authority	1
Offering landscape architecture without a Corporate Certificate of Authority	2
Architects/Engineers/Surveyors/Landscape Architects charged with fraud, incompetency or negligence	22
Land Surveyors charged with incompetent surveys, inaccurate surveys, or Surveyors that do not meet Minimum Standards	2
Failure to Provide Immediate Personal Supervision	0
Other violation	1

**Total Number of New Complaints Filed in 2010: 75**

**Breakdown of Complaint Disciplinary Actions and Files Closed In 2010**

Formal censure based on cause of discipline	3
Placed on probation	6
Suspension followed by probation	2
House Bill 600 Suspensions	4
Injunction obtained	0
License revoked	3
Insufficient evidence of violation, no action taken	38
Not within the jurisdiction of the Board	3
Satisfactory completion of probation	9
Voluntary surrender of license	1
Complaint was withdrawn by complainant	0
Probated License/Corporate Certificate of Authority & Civil Penalty	10
Received Written assurances to either cease and desist or to comply w/Chapter 327	7
Board letter (violation did not warrant further action)	8
Corrective Action was taken	20
Civil Penalty	2
Violation of Discipline	3
Other Action	3

**Total Number of Complaint Disciplinary Actions and Files Closed in 2010: 122**

**UNLICENSED PRACTICE:**

As you can see in 2010 the Board has had 21 complaints filed against individuals and 12 complaints filed against corporations which were charged with practicing architecture, professional engineering, land surveying and/or landscape architecture without being properly licensed. If an individual or corporation refuses to voluntarily cease and desist all illegal activities and to conduct all future activities in compliance with Chapter 327, then the Board can request the Attorney General's office to file suit in the appropriate circuit court seeking an injunction to restrain that individual or corporation from practicing architecture, professional engineering, professional land surveying and/or landscape architecture without a license. Another option the Board has is to refer the matter to the Attorney General's Office to seek authority to assess a civil penalty. A civil penalty imposed under Section 327.077 can be as high as \$5,000 for each offense. However, each day of a continued violation constitutes a separate offense, with a maximum penalty of \$25,000. The Board assessed 12 civil penalties in 2010.

## NEW LICENSEES

The following individuals and corporations were licensed between May 1, 2010 and December 31, 2010

### ARCHITECT LICENSEES

Albers, Eric A.	Glime, Carolyn M.	Mueller, Jessica	Shenoy, Shruti
Angyal, Kristy M.	Godwin, James Adam	Mueller, John Edward	Sherman, Jeffery H.
Appleby, Dale Randall	Graham, Matthew L.	Muller, Erin Brengle	Shirley, Gary Everett
Beaver, Cheryl S.	Grant, Charles M.	Mullin, Daniel K.	Shirley, Rebecca Jill
Berendzen, Jon David	Green, Charles Rick	Murch, Brian M.	Short, Andrew M.
Berry, Jack V., Jr.	Griffith, Scott J.	Nielson, Scott L.	Sommers, Neil Dwayne
Birkenmaier, Christopher Xaver	Gross, Gerald R.	Nigro, Kimberly C.	Sotolar, Frank Byron
Blackwell, Marlon M.	Hembree, Johnny C.	Odom, Angie Marie	Starr, John H.
Bledsoe, Richard Brent	Infanzon, Nestor Ismael	Ormsby, Robert T.	Sullivan, Scott D.
Bronson, Diamond S.	Ives, Anna B.F.	O'Roark, Robyn	Taake, Mark Allen
Bruckner, Robert Francis	Jantzen, Christof	Patterson, Stuart Dillon	Tatro, Lindsay C.
Camp, Sebren Ryan	Joos, Sarah Marie	Perry, Joel W.	Thames, Maurice Leanders
Cawthon, Gregory D.	Jordre, Tracy J.	Pichotta, Peter	Tramba, Jonathan David
Celli, Thomas C.	Kahm, Jeremy Boyd	Pierce, Jason Dale	Trapp, Shemryn
Chevlin, Geoffrey Allen	Kearney, Michael James	Pimmel, Kelly Kathryn	Tyler, Ilene Rogers
Childress, James C.	Keyes, Charles J., III	Powell, Ronald W.	Valdivieso, Manuel F.
Conway, William F.	Lamas, Mark Alexander	Prindle, Michael David	Van Becelaere, Matthew L.
Coulter, Julie Kay	Larocque, Stephen Joseph	Pruitt, Donald E.	Wagner, Jason W.
Creeden, Kyle K.	Layman, David J.	Pucciano, Frederick T.	Wagner, Linda Jean
Curtis, Thomas D.	Leblang, Mark W.	Retnauer, Thomas Raymond	Warner, James H., III
Davis, John Ernest, II	Lisinski, David Mark	Reynolds, Jeffery Lee	Wendel, Robert A.
Deiss, Robert William	Loinette, Jeffrey M.	Rhebergen, John Alan	White, Jeffrey M.
Del Gatto, Michael A.	Long, Peter A.	Riddle, Brian R.	White, Stephen L.
Dimit, Scott Miles	Loomis, Steven E.	Rojas, Roman	Willhoite, David Joseph
Dixon, David J.	Ma, Jiayue	Scales, John C.	Williams, Jeff
DuBois, Marc R.	Mahoney, John Hartley	Schlossberg, Larry	Wilson, William F.
Dyer, Jonathan	Marcinkiewicz, Michael John	Schmidt, Fred C.	Winborne, Thomas T.
Faulkner, Trudy R.	Martin, Jackie L.	Schmitz, Robert Joseph	Woofter, Heather Rae
Ford, Mark Philip	McNutt, James L.	Scobell, Mark Stuart	Worley, Jennifer A.
Francisco, Christopher Paul	Monroe, Kim I.	Shaffer, Ronald V.	Zutz, Jeffrey C.
Gibbons, Sean T.	Montgomery, John A.	Shaw, Scott Edward	

### ARCHITECTURAL CORPORATIONS

AECOM Technical Services, Inc.	LINK Architecture, LLC	Shafer, Kline & Warren, Inc.
Andrews & Anderson Architects, PC	Martin Riley Associates - Architects, P.C.	Soup Studios, P.C.
Architect Design Solutions LLC	Martinez & Johnson Architecture, P.C.	Studio Luebke, LLC
Architectural Concepts of Michigan, P.C.	MATRIX Architects Engineers Planners, Inc.	STV Architects, Inc.
Askew Hargraves Harcourt & Associates, Inc.	Midwestern Construction and Development Corporation, L.L.C.	The LPA Group Incorporated
Baysinger Development Group, LLC	Montgomery Roth, Architecture and Interior Design, L.L.C.	Thomas, Miller & Partners, LLC
Blevins and Bradbury, Inc.	Myers & Yanko, L.L.C.	Thompson, Hancock, Witte & Associates, Inc.
Butler Architects, P.C.	Nehring Design, LLC	TR,i Constructors, LLC
Carpenter Sellers Del Gatto Architects, PC	Nevius Serig Palmer Architecture, P.C.	Treanor Consulting, L.L.C.
Central Design Office LLC	Nielson Bodily Wyatt Architects, P.C.	Uhlig Architecture, LLC
Core Architects, Inc.	Noonan & Associates, LLC	Urban Prairie Architectural Collaborative, P.C.
Davidson Architecture & Engineering, LLC	Oates Associates, Inc.	Wight & Company, LLC
Delphey/Gerdes Engineering, Inc.	Opus AE Group, Inc.	WK+N architects LLC
DERU and Associates, LLC	Performance Design Group, PC	Wozencraft and Associates, LLC
Einhorn Yaffee Prescott, Architecture & Engineering, P.C.	Planmark Inc.	
Galloway & Company of Missouri, Inc.	Pucciano & English, Inc.	
Generator Studio, LLC	Remiger Associates, Inc.	
HERA Studio, Inc.	Robert G. Lyon & Associates, Inc.	
James E. Childs & Associates Inc.	Savage-Ver Ploeg & Associates, Inc.	
Kinslow, Keith & Todd, Inc.	SDG, LLC	
Kip A. Moore & Associates, P.C.		

**PROFESSIONAL ENGINEER LICENSEES**

Aboyure, Rudolph A.	Burken, Joel Gerard	Findlay, John F.	Hock, John Edward
Acom, Trevor J.	Cammarata, Nickie G.	Fitzgerald, Scott Alan	Hoerauf, Robert G.
Adams, Kerry John	Carfagno, Michael G.	Flood, Walter H.	Hoffman, Kenneth J.
Ahaus, Loren A.	Carroll, Phillip Jason	Forehand, Tyler P.	Hoffman, Martin G., Jr.
Allen, James Calvin	Caruso, Mike	Forman, Mark S.	Hoffpauir, Jeremy Chris
Allen, James Carl, Jr.	Cary, Sean M.	Freeman, Frank A.	Holder, Joshua David
Almudhafar, Shaheed Mohammed	Catt, Reid Brennen	Freiner, Michael Christian	Hollabaugh, Eric M.
Alter, David B.	Chatburn, Mark Aaron	Frew, Thomas J.	Hooper, Andrew J.
Atkisson, Jason Alan	Christian, Thomas J.	Friesenborg, Stacy LaNay	Hooper, Robert R.
Austrian, Dan	Christopher, Scott L.	Funkhouser, Jeffrey Jay	Hopper, Tim D.
Ayers, Andrew Joseph	Clower, Gary W.	Fuqua, Dirk B.	Horvath, Brian John
Azure, Mark J.	Cochran, Duane Lee	Futrell, Joseph E.	Hougland, Fredrick G.
Baca, David Mark	Colandrea, Aldo F.	Gabel, Joseph Edward	House, Timothy A.
Bache, Steven E.	Coleman, J. Norman	Gallagher, Sean	Howe, Rebecca Jean
Bailey, Karen Christine	Comninaki, Lauritz Pettersen	Gandhi, Pravinchandra K.	Huebel, Anthony L.
Baldera, Patrick Mario	Condon, James Michael, Jr.	Ganey, Paul Robert	Ireland, John E.
Bale, Frank G., Jr.	Cooper, Nathan Lane	Garcia, John Justin	Jackson, Joel E.
Barbina, Anthony P.	Cornelio, Anthony N.	Gauch, Alison Marie	Jacobs, Darin J.
Barcus, Joshua E.	Costley, James H., Jr.	Gayle, Benjamin P.	Jensen, Eldon E., II
Basinger, Clark Andrew	Cox, Aaron S.	Geer, Derek Hunter	Johnson, Brent M.
Bates, Brian Scott	Crabtree, Jason W.	Geraghty, Edward Patrick	Johnson, Clifford H.
Bauer, Nicholas Sean	Crain, Jason M.	Gerke, Jason R.	Johnson, Nathan Daniel
Becker, Philip C.	Crawford, Joshua B.	Gilbertson, Amanda Wallis	Johnson, Nathan Wayne
Bequette, Michael James	Creel, Wayne	Gilbreath, William B.	Jung, Martin Christopher
Beriswill, Jeffrey Alan	Crenshaw, James R., Jr.	Glass, Melvin G.	Justus, James Lee
Bertel, Jeffrey Douglas	Cross, Garrett	Glisson, Matthew Richard	Kadlec, Terence Donald
Beshara, Baher Naeem Atalla	Crowell, Robert E.	Goeller, Matthew David	Kahle, Paul Thomas
Biering, Celio Sappi	Crye, Jonathan G.	Goforth, Daniel Scott	Karlin, Shaun A.
Billingsley, David Everitt	Currier, Jonathan Edwards, Jr.	Gomez, Rembert A.	Keeney, Frederick W.
Bischoff, Brannon K.	Daniel, James I.	Gonzales, Kimberly Owen	Keethler, Michael Newton
Black, Erin Elizabeth	Darling, Dennis M.	Gordon, John Robert	Keller, John A.
Blalock, D. Flay	Darling, Nick J.	Grant, Terry Wayne	Keller, Richard Dean
Blitz, Murray	Damell, Kenneth E.	Green, Terri Lynn	Kelly, Daniel P.
Boe, Mark Steven	Davidow, Steve Austin	Gremillion, David A.	Kern, Craig Michael
Boeckmann, Andrew Zak	de la Fuente, Mark A.	Grench, Brian E.	Kesterson, Eric S.
Boehler, Ruben V.	Dean, Brandon Joseph	Gridley, Steven J.	Keyster, Andrew R.
Bogaert, Steven M.	DelHomme, Stephen Daniel	Groves, Adam D.	Khoncarly, Mahmoud M. S.
Boggess, Brian Michael	Delorme, Erica Jean	Gupta, Pradip Kumar	Killips, John Thomas
Bombay, Kevin D.	Dennis, Jason Matthew	Hackman, Matt	Kitzmler, Matt J.
Bond, Anthony E.	Diamond, Steve	Haghighi, Daryoush Karimi	Kleyweg, Donald N., Jr.
Book, Roger Joseph	Dieckmann, Autumn Davae	Hagler, Robert Thomas, II	Knight, Andrew S.
Born, Christopher Henry	Dieckmann, Kyle Aron	Haiht, Matthew Colin	Knight, Martha J.
Bourgeois, John C.	Diggle, John Henry	Hallman, Randall J.	Kochtanek, Jeffrey Thomas
Boyd, Thomas Keith, III	Dodge, Terry E.	Haltom, Jeffery W.	Kohlman, Justin Daniel
Bracken, William C.	Doerr, Justin Max	Hamilton, Louis A.	Kowkabany, Stephen F.
Bradfield, Brett E.	Dombrowski, Peter R.	Hamilton, Phillip Guy, Sr.	Kroner, Jeffery W.
Bramon, Robert Martin	Dorlac, Dustin Edward	Hamilton, William Michael	Kurzawa, Richard B.
Brehm, Kevin Joel	Duff, Jeremy Scott	Hannemann, Michael P.	Lamont, Michael William
Breitenbach, Heather Moll	Durham, E. Brook	Harrison, Patrick J.	Lane, Matthew E.
Briggs, John T.	Eastridge, Frederick Robert	Hartdegen, Donald R., Jr.	Lang, Steven W.
Bmcic, Steven Robert	Edwards, Ronald C.	Hartog, Curtis L.	Lange, Cameron Charissa
Brodowski, David Michael	Eisele, Ryan Lee	Haslach, Paul D.	Lee, Jason Dean
Brown, Adam J.	El-Baz, Dean Hazim	Haubner, Gary James	Lee, Wellington
Brown, Jason M.	Elrod, Donald Joe	Haug, Matthew J.	Legenski, Edward D.
Brunke, Casey Laine	Elsten, Casey Leigh	Havron, John Howard	Lehman, Kyle Joseph
Budiman, Junaidie	Erdtmann, Michael Christopher	Hess, Wayne Neel	Lewin, Isaac A.
Buechel, Gerard J.	Erlenbach, Stephen Eldon	Hetherington, Jason Eugene	Lewis, Kevin Joseph
Buettner, Jason Robert	Falk, Benjamin Eric	Hetzel, Micheal Andrew	Lewis, Michael Keller
Bullard, John Howard	Farmer, Eric Cleveland	Hill, Lorrie A.	Li, Dong
Bullen, Robert Howard, Jr.	Feather, Paul Anthony	Hinchee, Robert E.	Li, Martin Ziming
Buntin, Christopher R.	Felts-Tady, Tamara Kim	Hoang, Tuan Duc	Liang, Kregan

## NEW LICENSEES...CONTINUED...

Likes, Justin W.	Murdaugh, Jarrod Randall	Quackenbush, Karen G.	Sudweeks, Dwayne C.
Lindorfer, Kurt Randall	Murray, Jonathan William	Randolph, Dennis Albert	Sullaway, Michael F.
Lindefelder, Kyle Joseph	Naber, William Alex	Ridgeway, Kevin James	Sullins, Eric J.
Long, Kevin J.	Nader, Joseph Charles	Riley, Gregory E.	Sullivan, William Randall
Lowe, Rachelle Lynn	Needham, Jason Randal	Riley, Nathan Scott	Sutter, Karl V., III
Lubiewski, Michael Christopher	Neilson, Joseph L.	Ritzer, William Roland	Swearingin, Adam Vincent
Ludlow, Scott J.	Nemeth, Amy Works	Roberts, Richard Torrey	Szerwinski, Alexander M.
Lumpkin, Alan L.	Nero, John Thomas	Rogin, Martin I.	Taylor, Thomas L.
MacArthur, David Robert	NeSmith, W. Morgan, Jr.	Rohr, Larry F.	Thetge, Jeffery Dale
Madigan, Kerry Lynn	Neth, Bryan Allen	Roth, Jeremy	Thomas, John M.
Madlinger, Theresa Christine	Newton, Billy R.	Rumbaugh, Martin Glen	Thompson, James Dennis
Magruder, Deron Kip	Ngo, Huy Q.	Rupert, Gregory Allen	Tinker, Matthew Moffett
Malekshahi, Mo M.	Nickless, Mark Thomas	Sahni, Sanjay K.	Toecker, Michael H.
Manning, Ryan T.	Nieblas, Gerard M.	Sanborn, Marc Jon	Trumble, Thomas W.
Manske, Kyle Austin	Nordwald, Michelle Renee	Schaeffer, Jason Allen	Trusty, Gary Mike
Manthei, Michael Patrick	Norton, Brian C.	Schlueter, Ted Alan	Verbeek, Michael Jon
Martens, John D.	Oakley, Brittlee Lee	Schmuhl, Kevin William	Verst, Ted William
Martin, Scott Alson	O'Connor, Richard T.	Schroeder, Michael Henry	Vodzack, Brian
McCool, Jason Christopher	Oduroh, Paul K.	Schroeder, Travis Neal	Voltz, James William
McCurdy, Amy Lynn	Oesch, Daniel J.	Schumm, Dwight Clopton	Wagner, Sandra Marie
McMillen, Jeremy Wade	Okoye, Ernest C.	Schwartz, Daniel Morris	Walker, Charles T.
McMullen, Brian H.	Oranski, George	Schwerzel, George	Wall, Charles Alan
McNiff, Julie A.	Orwig, Robert R.	Schwitter, Craig M.	Walter, Philip James
McVicker, Aaron Daniel	Oswald, David Andrew	Scott, Jeffrey A.	Warmack, Stacy
McWilliams, Marty Dewayne	Oyler, Shane Dale	Seiler, Dane Mitchell	Wendel, Andrew Richard
Meade, Stephen James	Palm, Nathan A.	Severn, Guy Neil	Weyer, Matthew S.
Meier, John H.	Pao, John H.	Shafer, Jason Michael	White, Cody Ryan
Mellott, Donald Guy, Jr.	Parrish, Christopher Matthew	Shanks, Christopher M.	Whitwell, Brent A.
Metz, Stephen J.	Parsons, Paul Douglas	Shawhan, Jason J.	Williams, Lucas W.
Meyer, Stephen	Payne, Todd Eldon	Shea, David	Willis, William P.
Mhaskar, Shakeel A.L.	Penner, Kurt G.	Sickman, Ryan Edward	Wilson, Daniel Archer
Miget, Luke Charles	Peralte, Jean-Alix	Sitorius, Daniel L.	Wohlberg, Mathew R.
Miller, Garrett K.	Perkins, Philip Robert	Skaredoff, Peter Michael	Wolfe, Timothy A.
Miller, Joseph F.	Perry, Christopher James	Smith, Caleb Andrew	Wong, Gary Ka Leung
Miller, Paul E.	Peterson, Steven Harold	Smith, Glen Edward	Worcester, Joseph Barry
Milligan, James J.	Pfeiffer, Brent Victor	Smith, John Ronald	Young, Charles T.
Mischel, Christopher Michael	Pickering, Jonathan J.	Snow, James Robert	Young, Stephen Andrew
Mitchell, Michael Dominic	Placke, Michael W.	Stampfli, David M.	Youree, Seth Ray
Moench, Dwayne Ray	Popp, Jonathan C.	Steele, Sterling Brooks	Zappanti, Mark
Montgomery, Angela N.	Price, Stanley Derrick	Stieb, John Edward, Jr.	Zebich, Steven
Moore, Erik Paul	Provance, James Shannon	Stiebel, Michael Thomas	Ziegler, Bryan David
Morgan, Paul Michael	Province, John Darrell	Stone, Donald E., Jr.	Zoabi, Waleed A.
Moschopoulos, George	Puglisi, Joseph Biagio	Subramanian, Chella	

## PROFESSIONAL ENGINEERING CORPORATIONS

A 2 V Partners, LLC	Capital Land Services, Inc.	EAD Engineering, LLC
AEC Engineering, Inc.	Carollo Engineers, Inc.	Einhorn Yaffee Prescott, Architecture & Engineering, P.C.
Aker Solutions Americas Inc.	Charles Saul Engineering, Inc.	Engineering and Inspection Services Inc.
Alliance Wood Group Engineering, L.P.	CHN Inspections, LLC	Engineering Partners International LLC
American Engineering Testing Inc.	CONTECH Bridge Solutions Inc.	Eskenazi, Farrell & Fodor, P.C.
AMG - ENG. Inc.	Crenshaw Consulting Engineers, Inc.	Fire Protection Systems Corrosion Management, Inc.
Architectural Engineering Design Group, Inc.	Crossland Construction Company, Inc.	Flexible Lifeline Systems, Inc.
Argus Consulting, Inc.	Crowley Engineering Group, LLC	FOX Engineering Associates, Inc.
Bailey Land Group, Inc.	CSS Engineering, LLC	Garden & Associates, Ltd.
BGA Engineers, Inc.	Dashiell Corporation	GBMc & Associates, Inc.
Blair Companies, Inc.	Davidson Architecture & Engineering, LLC	Gray Engineering, LLC
Boyer Fire Protection, LLC	Davis & Church, LLC	Green Engineering LLC
Bracken Engineering, Inc.	Delphay/Gerdes Engineering, Inc.	H. F. Lenz Co.
Burns & McDonnell International, Inc.	DERU and Associates, LLC	
Buro Happold Consulting Engineers, P.C.	EA Engineering, Science, and Technology, Inc.	

**NEW LICENSEES...CONTINUED...**

Hargrove and Associates, Inc.	Mabry Engineering, LLC	PVE Sheffler, LLC
Harrington & Cortelyou/BMcD, Inc.	Malisko Engineering, Inc.	R.A. Godfrey & Associates, LLC
Hawkinson Associates, LLC	Massey-Mann & Associates, LLC	ReliaPOLE Inspection Services Company, LLC
Hayman Residential Engineering Services, Inc.	MATRIX Architects Engineers Planners, Inc.	RLC, LLC
Heapy Engineering, Inc.	McClelland Consulting Engineers, Inc.	RS Cook, Inc.
Heithaus Engineering & Associates, Inc.	McComas Engineering, Inc.	S&ME, Inc.
Hergenrether Penner McGuire Consulting Engineers, Inc.	Melroy Engineering, Inc.	S. M. Haw Associates, Inc.
Hipp Engineering and Consulting, Inc.	Mid-South Engineering Co.	Sawyer Engineering, Inc.
Hodge Design Associates, P.C.	Midwest Engineering and Design, L.L.C.	SBSA Inc.
Hoffmann Brothers Heating and Air Conditioning, Inc.	Moffatt & Nichol, Inc.	Small Arrow Engineering, LLC
International Design Services, Inc.	Neikirk Engineering, L.L.C.	Springfield Mechanical Services, Inc.
ISIS Consultants, LLC	Optica Engineering Group, LLC	SRF Consulting Group, Inc.
Jviation, Inc.	Opus AE Group, Inc.	Steelplanit, LLC
Kansas City Testing and Engineering LLC	OS Holdings, Inc.	Tom Turley, LLC
Kucirek Engineering, Inc.	Performance Design Group, PC	Treanor Architects, P.C.
Lane/Bishop/York/Delahay, Inc.	Perry Engineering, LLC	Treat Architects, P.C.
Lee Technologies Services, Inc.	Pike Energy Solutions, LLC	TTL Consulting, Inc.
LeMessurier Consultants Inc.	Planmark, Inc.	URS Group, Inc.
LETS Volver International LLC	PMH Associates, Inc.	Vidal Engineering, L.C.
Losli Engineering, LLC	PND Engineers, Inc.	Warger Associates LLC
Lysaght & Associates, P.C.	Power System Engineering, Inc.	Weidlinger Associates, Inc.
	Precast Technical Services Group, P.C.	Westinghouse Electric Company (Delaware) LLC
	Project Associates, Inc.	Willett Engineering Company, Inc.

**PROFESSIONAL LAND SURVEYOR LICENSEES**

Diehl, Donald William  
 Grout, Philip Andrew  
 Johnson, Daniel J.  
 Loader, Jason R.  
 Potts, Jayson Andrew  
 Rush, S. Scott  
 Schulte, Mike  
 Smith, Norman Bradley  
 Wright, Jeffrey Donald

**PROFESSIONAL LAND SURVEYING CORPORATIONS**

AFRAM Corporation  
 APAC-Kansas Inc.  
 Caman Construction Company  
 Countryside Survey, LLC  
 Four Points Land Surveying, Inc.  
 HDR Engineering, Inc.  
 Heithaus Engineering & Associates, Inc.  
 Likes Land Surveyors Inc  
 Meridian Surveying Services, LLC  
 R.L. Buford & Associates, LLC  
 Snyder & Associates Engineers & Planners, LLC  
 TFS and Associates, LLC  
 Turpin Land Surveying, LLC  
 Universal Ensco, Inc.

NEW LICENSEES...CONTINUED...

**LANDSCAPE ARCHITECT LICENSEES**

Armstrong, Celine Rachelle  
Crawford, Scott A.  
Hochstein, Brian James  
Moskos, Nick G.  
Reitz, David Lee  
Runkel, Heather A.  
Schwarberg, Joann Shjeflo  
Slazinik, Timothy H.  
Treese, Lisa M.  
Tyler, Cynthia A.

**LANDSCAPE ARCHITECTURAL CORPORATIONS**

Berkebile Nelson Immenschuh McDowell Incorporated  
Galloway & Company of Missouri, Inc.  
L.A.N.D.+ , L.L.C.  
McEntee Engineering and Design, Inc.  
Phase 2 Site Planning & Design, LLC  
Thompson, Hancock, Witte & Associates, Inc.

## YEARS OF SERVICE RECOGNIZED

### JUDY KEMPKER EXECUTIVE DIRECTOR

At the Board's November 9, 2010 meeting held in Springfield, Missouri, Board Member, Bob Hartnett, presented (on behalf of the Board) an award to **Ms. Judy Kempker** in appreciation for her 20 years of dedicated and exemplary service to the Board.

Judy has over 30 years of experience working in state government and is a 20-year veteran of the Board. Her education and background include a focus in the areas of licensure, enforcement, examination, legislation, and administrative services. During the first ten years of Judy's tenure with the Board, she held the position of Executive Assistant; and, during the most recent ten years, she has held the position of Executive Director. Past and present members of the Board have commented on Judy's exceptional leadership qualities as well as on the dedication, commitment, knowledge, experience, and expertise that she has demonstrated. She is a very loyal and conscientious employee who takes her work seriously and is a role model for staff to follow. She is highly principled and a person of outstanding values and character. Judy is very much appreciated for all she does.



**Bob Hartnett presents Judy an award for her 20 years of service to the Board.**

*Congratulations Judy!*

## MS. JACKSON ELECTED TO CLARB BOARD OF DIRECTORS

More than 110 members, leaders, staff and invited guests met August 26-28 in Baltimore, Md. for the 2010 annual meeting and 40th anniversary celebration of the Council of Landscape Architectural Registration Boards (CLARB). One important piece of business was the election of new officers and regional directors to the CLARB Board.

The Missouri Board is pleased to announce that Board Member, **Jerany Jackson**, was elected to serve as Secretary. The Board is confident Jerany will excel in this leadership position and congratulates her on this notable accomplishment.

*Congratulations Jerany!*

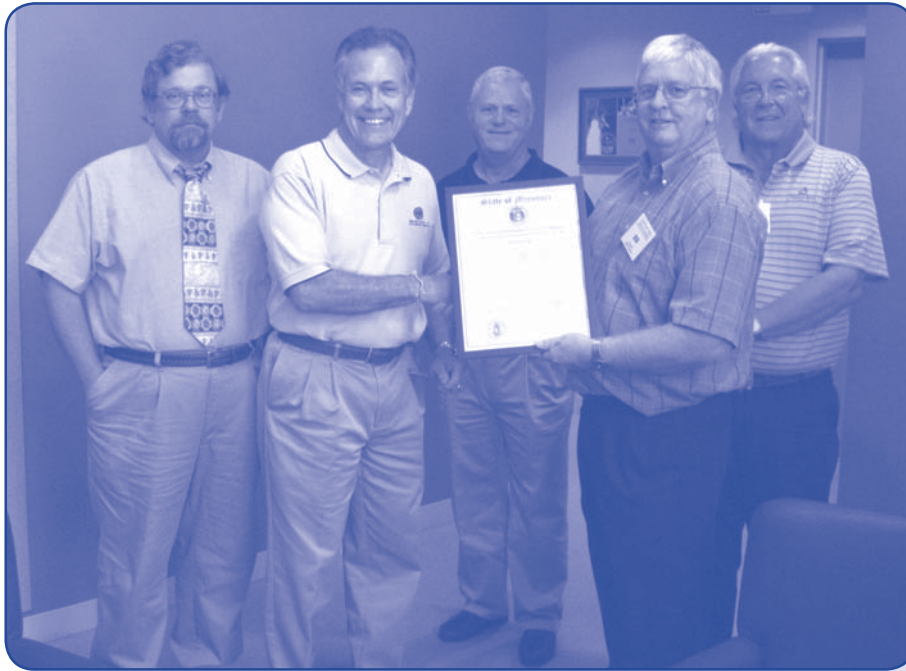
## APPRECIATION RECOGNIZED

At the September 23, 2010 meeting of the Professional Design Alliance, Mr. Bob Hartnett, Chair of the Landscape Architectural Division of the Board, presented on behalf of the Board a framed "Resolution of Thanks" to the Missouri Chapter of The American Institute of Architects; the Missouri Society of Professional Engineers; the Missouri Society of Professional Surveyors; and the Missouri Association of Landscape Architects to show the Board's appreciation for their continued support in the protection of the health, safety, and welfare of the citizens of Missouri.

These four Professional Societies were successful at and responsible for the passage of a major upgrade to the provisions of Chapter 327 of the Missouri Revised Statutes during the 2010 Legislative session. This approved legislation will allow the Board to improve its overall effectiveness and better serve the citizens and licensees in Missouri.



Mr. Steve Coffey accepting (on behalf of AIA-MO) a Resolution of Thanks from Mr. Bob Hartnett. Pictured left to right are: Kevin Skibiski, Member of the Professional Engineering Division of the Board; Steve Coffey, President of AIA-MO; John Waggoner, Member and Past President of AIA-MO; Mike Freeman, Chair of the Professional Land Surveying Division of the Board; Chris Davis, Member and President Elect of AIA-MO; Bob Hartnett, Chair of the Landscape Architectural Division of the Board; and, Randy Miltenberger, Chair of the Architectural Division of the Board.



Mr. Bruce Wylie accepting (on behalf of MSPE) a Resolution of Thanks from Mr. Bob Hartnett. Pictured left to right are: Kevin Skibiski, Member of the Professional Engineering Division of the Board; Bruce Wylie, Executive Director for MSPE; Mike Freeman, Chair of the Professional Land Surveying Division of the Board; Bob Hartnett, Chair of the Landscape Architectural Division of the Board; and, Randy Miltenberger, Chair of the Architectural Division of the Board.



Mr. Don Martin accepting (on behalf of MSPS) a Resolution of Thanks from Mr. Bob Hartnett. Pictured left to right are: Jim Anderson, Member of MSPS; Kevin Skibiski, Member of the Professional Engineering Division of the Board; Don Martin, Member of MSPS; Rich Barr, Member of MSPS; Mike Freeman, Chair of the Professional Land Surveying Division of the Board; Bob Hartnett, Chair of the Landscape Architectural Division of the Board; and, Randy Miltenberger, Chair of the Architectural Division of the Board.



Mr. Rusty Saunders accepting (on behalf of MALA) a Resolution of Thanks from Mr. Bob Hartnett. Pictured left to right are: Kevin Skibiski, Member of the Professional Engineering Division of the Board; Randy Mardis, Member of MALA; Rusty Saunders, Member of MALA; Mike Freeman, Chair of the Professional Land Surveying Division of the Board; Bob Hartnett, Chair of the Landscape Architectural Division of the Board; and, Randy Miltenberger, Chair of the Architectural Division of the Board.

## LEGISLATION

The Missouri Legislature brought the First Regular Session of the 95th General Assembly to a close on Friday, May 14th. It's been a very interesting session and, for the most part, things seemed to flow rather smoothly. There were two bills (HB 2226 and HB 1692) that were passed which had a direct impact on Chapter 327, RSMo. HB 2226 was filed and sponsored by Representative Jay Wasson and HB 1692 was filed and sponsored by Representative Jason Smith. We are pleased to report that on July 7, 2010, Governor Jay Nixon signed HB 2226 and on July 12, 2010, he signed HB 1692. These bills may be better known to some as the omnibus Professional Registration bills. Both bills include a number of changes to Chapter 327 RSMo. All changes in both bills were identical with one exception. HB 1692 contained a revision to Section 327.272 which was not included in HB 2226. This newly enacted legislation went into affect on August 28, 2010. Among the many technical changes are:

**RE: Section 327.031 – Board established, membership, officers, qualifications of members --how appointed--terms--vacancy, how filled--may sue and be sued--abolishment of council--transfer of powers, duties and funds.**

- This change will allow a Landscape Architect to serve as the chairperson and ranking vice chairperson of the Board.
- This change will also allow each Landscape Architect Member of the Board to cast a vote when voting on an action pending before the Board.
- It will change the quorum from seven voting members and two members of each Division to eight voting members including at least one member of each Division. (As the law was previously written, if 12 out of the 14 members were present for a Board Meeting but the two members that were absent were from the same Division, the Board did not have a quorum and therefore was prohibited from meeting.)
- It will add a 4th engineer to the Board to help with excessive workload in the Engineering Division; thus, increasing the number of Board Members from 14 to 15.
- It will allow active service as a faculty member while holding the rank of assistant professor or higher in an accredited school of landscape architecture to be regarded as the active practice of landscape architecture. This change will make the landscape architectural language of the law consistent with the language referencing the other three professions regulated by the Board.
- It will require the sequential rotation of the Board Chair among the four professions, starting with an architect and then followed by a professional engineer, professional land surveyor and landscape architect.
- It will require the person who is appointed as the Chair of the Board to have previously served as a member of the Board thus ensuring that this person has the experience and knowledge needed to successfully supervise and expedite the work of the Board and its Divisions.
- It will limit the term of the Board Chair to one four-year term.
- All other changes are merely housekeeping revisions.

**RE: Section 327.041 – Board, powers and duties--rules, generally, this chapter, procedure.**

- This change will allow the Board to issue a subpoena without the concurrence of the Attorney General's (AG) office. Since the AG's office is not in attendance at the Board's entire meeting, the requirement for AG concurrence on all subpoenas was burdensome.
- Other boards within the Division of Professional Registration do not need concurrence of the AG's office when issuing a subpoena and so this change makes the APELSLA Board consistent with the other boards.

**RE: Section 327.411 – Personal seal, how used, effect of.**

- In light of a recent Supreme Court Ruling, the Board and professional associations felt it necessary to make the intent of the law more clear by clarifying what is deemed to be immediate personal supervision. This change requires a licensee to prepare or personally supervise the preparation of all documents containing his or her personal seal and to perform services only when he or she is qualified by education, training, and experience in the specific technical areas involved.

**RE: Section 327.351 – Professional license renewal--expired or suspended license, renewal procedure--professional development requirements for renewal, exception.**

- This change will allow the Professional Land Surveyors who choose to place their license in an inactive status to continue to use the title "Professional Land Surveyor" or the initials "PLS" after such person's name.
- Architects, engineers and landscape architects who place their license in an inactive status already have the statutory authority to continue to use their professional title; therefore, this change will make the land surveying language of the law consistent with the language referencing the other three professions regulated by the Board.

**RE: Section 327.272 – Practice as professional land surveyor defined.**

- This change adds the determination, location, relocation, establishment, reestablishment, layout, or retracing of land boundaries and positions of the United States Public Land Survey System and the creation, preparation, and modification of electronic or computerized data to the list of work or services that a professional land surveyor can perform.

The Board very much appreciates the time and attention given by the professional associations (AIA, MSPE, MSPS and MALA) and their lobbyists in an attempt to get HB 2226 and HB 1692 passed. Their efforts did not go unnoticed. A very special "THANKS" goes to Representatives Jay Wasson and Jason Smith for sponsoring the bills and to Kathi Harness, Mark Rhoads, Richard (Mo) McCullogh and Sam Licklider for harmoniously working with Representatives Wasson and Smith and for taking the lead with this legislation. Kathi, Mark, Mo and Sam made a number of trips to the State Capitol for lobbying purposes and did an exceptional job in providing clear and concise testimony before the Legislature in support of these bills. Representative Jay Wasson is no stranger to the Board. Not only was he instrumental in getting the aforementioned legislative changes passed, he was also very instrumental with the implementation of civil penalties in 2007. His continued assistance and support is very much appreciated.

*NOTE: No law passed by the General Assembly can take effect until ninety days after the end of the session at which it was enacted (August 28th for regular sessions).*

**Disclaimer:** The articles in this newsletter are the work and opinion of the individual authors and do not necessarily reflect the official opinion or position of the Board.

STATE OF MISSOURI  
DIVISION OF PROFESSIONAL REGISTRATION  
**MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS**  
3605 MISSOURI BLVD.  
JEFFERSON CITY, MO 65109

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Permit 440  
Jefferson City, MO

# MOVING?

**PLEASE NOTIFY THE  
BOARD OFFICE OF  
YOUR NEW ADDRESS.**

The rules and regulations require all licensees to notify the Board of all such changes by sending a letter to the office in Jefferson City, Missouri. Please include a street address to facilitate any express mail deliveries.

NAME: \_\_\_\_\_ LAST 4 DIGITS OF YOUR SSN: \_\_\_\_\_

PROFESSION: \_\_\_\_\_ LICENSE NUMBER: \_\_\_\_\_

(P.O. BOX MUST BE ACCOMPANIED BY YOUR PHYSICAL ADDRESS)

OLD ADDRESS: \_\_\_\_\_

NEW ADDRESS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**PLEASE MAIL TO:**  
**MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND  
SURVEYORS AND LANDSCAPE ARCHITECTS**  
3605 Missouri Blvd., Jefferson City, MO 65109 **OR** Fax: (573) 751-8046